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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES KILKENNY and CHARLES PRIOLO,
AS TRUSTEES OF THE CONSTRUCTION
COUNCIL LOCAL UNION 175 PENSION FUND,
JAMES KILKENNY and CHARLES PRIOLO, AS
TRUSTEES OF THE CONSTRUCTION
COUNCIL LOCAL 175
WELFARE FUND, JAMES KILKENNY and
CHARLES PRIOLO, AS TRUSTEES OF THE
CONSTRUCTION COUNCIL LOCAL 175
ANNUITY FUND, and JAMES KILKENNY and
CHARLES PRIOLO, AS TRUSTEES OF THE
CONSTRUCTION COUNCIL LOCAL 175
TRAINING FUND,

Plaintiffs,

-against-

THE SAFETY GROUP, LTD., a.k.a. SAFETY
PROFESSIONAL ASSOCIATION, INC.,

Defendant.

Civil Action No.: 24-CV-06955

(JMF)

**PROPOSED DEFAULT
JUDGMENT**

This action having been commenced on September 13, 2024 by the filing of a Summons and Complaint, and a copy of the Summons and Complaint having been personally served on the defendant, The Safety Group, Ltd., a.k.a. Safety Professional Association, Inc. on October 4, 2025 by personal service on Amanda Martinez, Agent for service of process for Defendant The Safety Group, Ltd., a.k.a. Safety Professional Association, Inc., and a proof of service having been filed on October 28,

2024, and the defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is therefore:

ORDERED, ADJUDGED AND DECREED, that Defendant The Safety Group, Ltd., a.k.a. Safety Professional Association, Inc. is liable to Plaintiffs for a judgment in the amount of \$16,076.63 in interest on late-paid contributions, and a further judgment as follows:

- (1) \$16,076.63 awarded to Plaintiffs for interest at the rate of ten percent (10%) per annum on contributions that Defendant paid after the due date on which the contributions were owed, as calculated from the date the contributions were owed through the date the contributions were paid; and
- (2) \$_____ awarded to Plaintiffs for interest at the rate of ten percent (10%) per annum on the delinquent contributions for the period from August 2024 through November 2024 from the date due through February 7, 2025; and
- (3) Ordering Defendant to comply with all audit and payroll compliance examination proceedings for the period from September 13, 2018 through the present; and
- (4) Granting Plaintiffs leave to make an application to this Court after an audit and payroll compliance examination is conducted by Plaintiffs' accountants for a Judgment for any presently unknown or as of yet undiscovered unpaid benefit contributions for entry of Judgment for the amount of contributions, interest, liquidated damages, and audit costs found therein, if any, as follows:

- A. If Defendant complies in full with audit and payroll compliance proceedings, the audit and payroll compliance findings as found pursuant to the documents submitted in accordance with same, or,

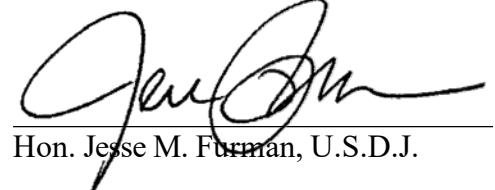
B. If Defendant fails to comply with audit and payroll compliance proceedings, the audit and payroll compliance findings as found pursuant to estimation of amounts owed in accordance with the Plaintiffs' Trust Agreements and Collection Policy; and

(5) Granting Plaintiffs leave to make an application to this Court for attorneys' fees and costs associated with this action.

Dated: New York, NY

SO ORDERED:

February 11, 2025


Hon. Jesse M. Furman, U.S.D.J.

No later than February 18, 2025, Plaintiff shall file a letter and proposed Amended Judgment reflecting the amount of interest owed per Paragraph (2) above.

Finding no just reason for delay — and in the interest of efficiency — the Court directs entry of final partial judgment as to the above matters pursuant to Federal Rule of Civil Procedure 54(b).

As discussed at the February 5, 2025 default judgment hearing, Plaintiffs shall file a letter within two months (*i.e.*, no later than April 5, 2025) updating the Court about the audit proceedings and proposed next steps.